

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMIE KAIPUST, Special Administrator
of the Estate of Mark S. Kaipust, Jr.,
Deceased, and Special Administrator of
the Estate of Taylor R. Kaipust,
Deceased;

Plaintiff,

vs.

CRITICAL SUPPLY SOLUTIONS, INC.,
and YORKWIND CRAWFORD,

Defendants.

8:22CV143

FINAL PROGRESSION ORDER

CHARLES HILLEBRANDT, JESSICA
HILLEBRANDT, NOLAN
HILLEBRANDT, CHARLENE STEHLIK,
and FREDERICK STEHLIK,

Plaintiffs,

vs.

CRITICAL SUPPLY SOLUTIONS, INC.,
and YORKWIND CRAWFORD,

Defendants.

4:23CV3067

FINAL PROGRESSION ORDER

MATTHEW SHEFFIELD, Individually
and as Parent and Next Friend of
Sawyer Sheffield;

Plaintiff,

vs.

CRITICAL SUPPLY SOLUTIONS, INC.,
and YORKWIND CRAWFORD,

Defendants.

4:23CV3115

FINAL PROGRESSION ORDER

IT IS ORDERED that the final progression order is as follows:

- 1) The trial and pretrial conference will not be set at this time. A status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on August 20, 2024 at 9:00 a.m. by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for serving initial mandatory disclosures under Rule 26(a)(1) is September 11, 2023.
- 3) The deadlines for moving to amend pleadings or add parties are:

For the plaintiff(s): December 15, 2023

For the defendant(s): January 15, 2024

- 4) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is April 19, 2024. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by May 3, 2024.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 5) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s):	March 29, 2024.
For the defendant(s):	April 26, 2024.
Plaintiff(s)' rebuttal:	May 24, 2024.

- 6) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is August 9, 2024.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is October 11, 2023.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is September 6, 2024.
- 9) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 10) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 11) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 21st day of August, 2023.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge